

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA,		
Plaintiff,		C/A No. 3:05-3037
vs.		
KENDRA N. CHINA,		
Defendant.		
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In the underlying matter, the plaintiff, the United States of America, seeks a judgment against the defendant, Kendra N. China, pursuant to 28 U.S.C. § 1345 for her alleged failure to repay student loans. The defendant “disputes the validity of the debt.” The plaintiff has moved for summary judgment. The plaintiff seeks judgment in its favor in the total amount of \$40,673.83 which includes principal of \$32,435.76, penalties of \$7,121.64 and interest of \$1,116.43 as of March 22, 2006 as of March 22, 2006, plus additional interest to date of judgment, together with interest that accrues at the rate provided for in Title 28 U.S.C. § 1961, from the date of entry of judgment until paid in full, costs of this action and all future costs.

Pursuant to this Court’s Local Rules, this matter was referred to United States Magistrate Judge Joseph R. McCrorey for a Report and Recommendation. On February 16,

2007 Magistrate Judge McCrorey issued his Report recommending that the Court grant the plaintiff's motion for summary judgment. No objections have been filed to the Magistrate Judge's Recommendation

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. Matthews. v. Weber, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made. 28 U.S. C. § 636(b)(1)©. However, the Court is not required to review under a *de novo* or any other standard, the factual or legal conclusions of the Magistrate Judge as to those portions of the Recommendation to which no objections are addressed. Thomas v. Arn, 474 U.S. 240 (1985).

In the instant action, the Court notes that the defendant was notified that the plaintiff had filed a motion for summary judgment. Yet, the defendant did not file any response to plaintiff's motion. Accordingly upon careful **de novo** review, the Court concurs with the Magistrate Judge's recommendation that the plaintiff's motion for summary judgment should be and is GRANTED.

IT IS THEREFORE ORDERED that judgment be entered in favor of the United States in the total amount of \$40,673.83, which includes principal of \$32,435.76, penalties of \$7,121.64 and interest of \$1,116.43 as of March 22, 2006 plus additional interest to date of judgment, together with interest that accrues at the rate provided for in Title 28 U.S.C. § 1961, from the date of entry of judgment until paid in full, costs of this action and all future costs.

IT IS SO ORDERED.

s/MATTHEW J. PERRY, JR.

SENIOR UNITED STATES DISTRICT JUDGE

**March 8, 2007
Columbia, South Carolina.**